

REMARKS

Amendments

Revisions to the Specification and Drawings

The Examiner requested correction of certain errors in the specification and drawings. In response, Applicant has amended the specification and drawings accordingly. No new matter has been added. The amendments are supported in the drawings or elsewhere in the specification at page 9 and Figure 3.

Amendments to the Claims

With the exception of claim 16, Applicant has amended the claims as identified by the Examiner to present allowable claims. Claims 1 and 5 have been cancelled without prejudice and their limitations are added into claims 2 and 6, respectively. No new matter has been added as a result of these amendments.

Objections

Objections to the Drawings under 37 C.F.R. § 1.83(p)(5)

The Examiner objected to the drawings, stating that a reference sign was not mentioned in the specification. Applicant has corrected the inconsistency and respectfully requests the withdrawal of the objection.

Objections to the Specification

The Examiner objected to the specification, stating the disclosure contained an informality. Applicant has corrected the informality and respectfully requests the withdrawal of the objection. Applicant further respectfully submits that no new issues are raised by the corrections.

Rejections

Rejections under 35 U.S.C. § 103(a)

While Applicant disagrees with the rejection of claims 1 and 5 and reserves the right to pursue the claims in a continuation, Applicant thanks the Examiner for indicating

that claims 2-4 and 6-8 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended. Claims 2 and 6 have been so amended. In view of these amendments, Applicant respectfully submits that claims 2-4 and 6-8 are now in condition for allowance, and request allowance of said claims. Furthermore, Applicant thanks the Examiner for allowing claims 9-15 and 17-19.

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being obvious over Calvignac, US Patent No. 6,195,335 in view of Saito, US Patent No. 6,628,650 and the admitted prior art. However, Saito only qualifies as prior art only under 35 U.S.C. § 102(e) because it issued after Applicant's effective filing date of December 29, 2000. Applicant does not admit Saito is prior art and reserves the right to swear behind the reference at a later date.

Nonetheless, Applicant respectfully submits that claim 16 is a "means-for" claim that is limited to the structure as stated in the specification or equivalents thereof. Thus, claim 16 should be allowable for similar reasons that claim 2 is allowable. Furthermore, Applicant respectfully fails to see that that Saito adds more to the admitted prior art. For example, input Time Slot Interchange, switch and output Time Slot Interchange of the admitted prior art (page 2, lines 1-2) corresponds to the variable rate time switches (Saito, Figure 4, #5_i), variable rate space switch (Saito, Figure 4, #11) and output buffers (Saito, Figure 4, #13_j) of Saito. Therefore, Applicant respectfully requests the withdrawal of the rejection of claim 16 under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 2-4, 6-8, 9-15 and 17-19 have been determined to be allowable. Applicant respectfully submits that claim 16 is also allowable. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Repleglo at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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Dated: June 30, 2004


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